

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

CHARLES MONTAGUE,)	
)	Case No. 2:18-cv-148
<i>Plaintiff,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Cynthia R. Wyrick
ED GRAYBEAL, JR., JOHN DOE/JANE)	
DOE, CAPT. LOWE, and WASHINGTON)	
COUNTY, TENN.,)	
)	
<i>Defendants.</i>)	

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion filed contemporaneously herewith:

1. The instant action is **DISMISSED WITHOUT PREJUDICE**;
2. Defendants' pending motions to dismiss (Docs. 56, 64) are **DENIED AS MOOT**;
3. Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*, see 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24; and
4. The Clerk is **DIRECTED** to close the case

SO ORDERED.

/s/ Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT
s/ John Medearis
CLERK OF COURT